

MEDICAL EXAMINING BOARD  
REGULAR MEETING  
JANUARY 23, 2002

MEMBERS PRESENT: Drs. Ronald E. Grossman, Darold A. Treffert, Sandra Mahkorn, Alfred Franger, Sidney Johnson, Lief Erickson (arrived 8:25 a.m.), Bhupinder Saini, Mohammed Sethi (via telephone 8:35 a.m. until arrival at 9:00 a.m.), Glenn Hoberg (via telephone 8:35-9:10 a.m. and 11:10-11:30 a.m.), Clark Olsen (via telephone 8:35-9:10 a.m. and 11:10-11:30 a.m.) and Muriel Harper and Virginia Heinemann

MEMBER EXCUSED: Karen Kalishek

LEGAL COUNSEL: none present

STAFF PRESENT: Deanna Zychowski, Karen Rude-Evans

GUESTS: Laura Leitch, Wis. Academy of Ophthalmology and Wis. Academy of Family Physicians; Ron Hermes, Robert Kroll and Bill Boissonnault, WPTA

CALL TO ORDER

Chair Ronald Grossman called the meeting to order at 8:09 a.m.

APPROVAL OF AGENDA

Amendments: -Review of revised Kindergarten Eye Health Examination Report  
-Presentation and deliberation of proposed Interim Decision and Order – Stuart M. Suster, MD - Milwaukee  
-Presentation and deliberation of proposed Stipulation and Order Appointing Mentor – Neil P. Connor, MD - Oregon  
-Presentation and deliberation of proposed Stipulation – Thomas M. Rowe, MD – Sturgeon Bay  
-Additional information in the matter concerning Athlene A. Alexis, MD  
-Correspondence from Board of Nursing relating to methadone treatment for chronic pain  
-Correspondence from Linda Sanner, RN, Chair of the Board of Nursing relating to methadone treatment  
-Correspondence from Bruce Barrette, DDS, Chair of the Dentistry Examining Board relating to concerns about the DRL reorganization  
-Informational item - 2001 Assembly Bill 698 relating to single-dose antibiotics

MOTION: Alfred Franger moved, seconded by Virginia Heinemann, to approve the agenda as amended. Motion carried unanimously

## ELECTION OF OFFICERS

MOTION: Ronald Grossman moved, seconded by Sandra Mahkorn, to nominate and elect Darold Treffert as Chair. Motion carried unanimously.

MOTION: Ronald Grossman moved, seconded Virginia Heinemann, to nominate and elect Sidney Johnson as Vice Chair. Motion carried unanimously.

MOTION: Ronald Grossman moved, seconded by Muriel Harper, to nominate and elect Virginia Heinemann as Secretary. Motion carried unanimously.

Darold Treffert took over as chair at this time.

## COMMITTEE APPOINTMENTS

Committee appointments will remain the same at this time.

## APPROVAL OF MINUTES OF DECEMBER 19, 2001

MOTION: Alfred Franger moved, seconded by Virginia Heinemann, to approve the Minutes of December 19, 2001, as written. Motion carried unanimously.

## SECRETARY OSCAR HERRERA

Secretary Oscar Herrera was not available. General Counsel William Dusso introduced the new Deputy Secretary Greg Horstman to the Board. Mr. Horstman gave a brief history of his background and said he looks forward to working with the Boards.

## PRESENTATION OF PROPOSED STIPULATIONS

### NEIL P CONNOR, MD

DOE paralegal Steve Engelbrecht presented a proposed stipulation in the matter concerning Neil P. Connor, MD. This matter will be deliberated on in closed session.

### THOMAS M ROWE, MD

DOE attorney Mike Berndt presented a proposed stipulation on behalf of DOE attorney Jack Zwieg in the matter concerning Thomas M. Rowe, MD. This matter will be deliberated on in closed session.

## PRESENTATION OF INTERIM ORDER

### STUART M SUSTER, MD

DOE attorney Arthur Thexton presented an interim order in the matter concerning Stuart M. Suster, MD. Dr. Suster was not present but was represented by attorney Ian Pitz. This matter will be deliberated on in closed session.

PRESENTATION OF PETITION FOR SUMMARY SUSPENSION AND PROPOSED  
INTERIM AGREEMENT

ATHLENE A ALEXIS, MD

DOE attorney Arthur Thexton presented a petition for summary suspension and a proposed interim agreement in the matter concerning Athlene A. Alexis, MD. This matter will be deliberated on in closed session.

SUMMARY REPORTS ON PENDING COURT CASES, DISCIPLINARY CASES AND  
ADMINISTRATIVE RULES

These reports were informational.

FSMB ANNUAL HOUSE OF DELEGATES MEETING

This item was informational.

REVIEW OF LRB 2791/6 RELATING TO THE PRACTICE OF NURSE-MIDWIFERY

This item was informational.

REVIEW OF LRB 3694/2 RELATING TO BANNING CLONING AND THE DEFINITION  
OF UNPROFESSIONAL CONDUCT

This item was informational.

MEETING WITH WPTA REGARDING AB 615 RELATING TO LICENSING OF PHYSICAL  
THERAPISTS AND PHYSICAL THERAPIST ASSISTANTS

Ron Hermes, Bill Boissonnault and Robert Kroll from WPTA addressed the Board regarding Assembly Bill 615.

MOTION: Sandra Mahkorn moved, seconded by Ronald Grossman, to oppose AB 615 as currently written. Muriel Harper and Lief Erickson abstained. Motion carried.

REVIEW OF REVISED KINDERGARTEN EYE HEALTH EXAMINATION REPORT

The Board reviewed the revised Kindergarten Eye Health Examination Report.

MOTION: Sandra Mahkorn moved, seconded by Alfred Franger, to not adopt the Kindergarten Eye Health Examination Report as presented and to return the report to the Optometry Examining Board and the State Medical Society for further revisions before the Medical Examining Board will reconsider adoption. Motion carried unanimously.

## REVIEW OF CORRESPONDENCE FROM BRUCE BARRETTE, DDS, CHAIR OF THE DENTISTRY EXAMINING BOARD

The Board reviewed correspondence from Bruce Barrette, DDS, the Chair of the Dentistry Examining Board. Dr. Barrette expressed concerns relating to the pending reorganization of DRL.

MOTION: Lief Erickson moved, seconded by Alfred Franger, to agree to a joint meeting of all Board chairs and all interested Board members with Secretary Herrera to discuss concerns relating to the pending reorganization of DRL. Motion carried unanimously.

## REVIEW OF CORRESPONDENCE FROM LINDA SANNER, RN, CHAIR OF THE BOARD OF NURSING

The Board reviewed correspondence from Linda Sanner, RN, the Chair of the Board of Nursing, regarding methadone treatment.

MOTION: Bhupinder Saini moved, seconded by Ronald Grossman, to reply to the Board of Nursing that practitioners who are undergoing methadone treatment for pain under the care of a physician, should be reviewed on a case-by-case basis. Motion carried unanimously.

## REPORT OF SCREENING COMMITTEE

Virginia Heinemann reported the Screening Committee reviewed 25 complaints. Ten complaints were opened, more information was requested on six, and nine were not opened.

## RECESS TO CLOSED SESSION

MOTION: Ronald Grossman moved, seconded by Alfred Franger, to recess to closed session pursuant to Chapter 19.85 (1)(a), (b), (f), and (g), Wis. Stats., for the purpose of reviewing requests for stays of suspensions and modifications of orders, deliberation of proposed stipulations, deliberation of a proposed decision, deliberation of a petition for summary suspension and interim agreement, reviewing applications, ratifying licenses and certificates, reviewing case status report, meeting with the Division of Enforcement and consulting with legal counsel. Roll call vote: Lief Erickson- yes, Alfred Franger – yes, Ronald Grossman – yes, Muriel Harper – yes, Virginia Heinemann – yes, Sidney Johnson – yes, Sandra Mahkorn – yes, Bhupinder Saini – yes, Mohammed Sethi – yes, Darold Treffert – yes. Motion carried unanimously.

Open session recessed at 10:00 a.m.

RECONVENE IN OPEN SESSION

MOTION: Sidney Johnson moved, seconded by Lief Erickson, to reconvene in open session. Motion carried unanimously.

Open session reconvened at 12:04 p.m.

VOTING ON ITEMS CONSIDERED/DELIBERATED ON IN CLOSED SESSION

MOTION: Sidney Johnson moved, seconded by Alfred Franger, to reaffirm all motions made during closed session. Motion carried unanimously.

PERSONAL APPEARANCE TO REQUEST UNLIMITED LICENSE

**RICHARD KLAMM, MD**

MOTION: Alfred Franger moved, seconded by Bhupinder Saini, to grant an unlimited license to Richard Klammer, MD. Motion carried unanimously.

PERSONAL APPEARANCE TO REQUEST STAY OF SUSPENSION/CHANGES IN BOARD ORDER

**TIMOTHY STAACKE, MD**

MOTION: Ronald Grossman moved, seconded by Sandra Mahkorn, to approve the change in mentor and to grant a three-month stay of suspension and a decrease in therapy to every other week, but deny the modification in screens to Timothy Staacke, MD. Motion carried unanimously.

REQUESTS FOR STAYS OF SUSPENSIONS/CHANGES IN BOARD ORDERS

**MARK BENSON, MD**

MOTION: Sidney Johnson moved, seconded by Ronald Grossman, to grant a three-month stay of suspension but deny the modifications of the Order to Mark Benson, MD. Motion carried unanimously.

**PETER GOY, MD**

MOTION: Sandra Mahkorn moved, seconded by Alfred Franger, to grant a three-month stay of suspension to Peter Goy, MD. Motion carried unanimously.

**RICHARD HELFRICH, MD**

MOTION: Sidney Johnson moved, seconded by Ronald Grossman, to grant a three-month stay of suspension to Richard Helfrich, MD. Motion carried unanimously.

**RAYMOND KOZIOL, MD**

MOTION: Ronald Grossman moved, seconded by Alfred Franger, to grant a three-month stay of suspension to Raymond Koziol, MD. Motion carried unanimously.

**WILLIAM MCDANIEL, MD**

MOTION: Ronald Grossman moved, seconded by Alfred Franger, to grant a three-month stay of suspension to William McDaniel, MD. Motion carried unanimously.

**PETER PARK, MD**

MOTION: Sidney Johnson moved, seconded by Lief Erickson, to grant a three-month stay of suspension but deny the modifications to the Order to Peter Park, MD. Motion carried unanimously.

**KENNETH SPARR, MD**

MOTION: Sidney Johnson moved, seconded by Ronald Grossman, to grant a three-month stay of suspension to Kenneth Sparr, MD. Motion carried unanimously.

**PETITION FOR SUMMARY SUSPENSION AND PROPOSED INTERIM AGREEMENT**

**ATHLENE ALEXIS, MD**

Drs. Olsen and Hoberg were present via telephone for deliberation and voting. Case advisor Darold Treffert was absent for deliberation and abstained from voting.

MOTION: Clark Olsen moved, seconded by Alfred Franger, to reject the interim agreement and petition for summary suspension and to proceed to hearing in the matter concerning Athlene Alexis, MD. Motion carried.

**PROPOSED STIPULATIONS**

**STUART SUSTER, MD**

Drs. Olsen and Hoberg were present via telephone for deliberation and voting.

MOTION: Clark Olsen moved, seconded by Sandra Mahkorn, to reject the proposed stipulation and to schedule a conference call for summary suspension for next week in the matter concerning Stuart Suster, MD. Case advisor Bhupinder Saini abstained. Motion carried.

**THOMAS ROWE, MD**

MOTION: Sidney Johnson moved, seconded by Alfred Franger, to adopt the Findings of Fact, Conclusions of Law and Order in the matter concerning Thomas Rowe, MD. Case advisor Muriel Harper abstained. Motion carried.

**PROPOSED DECISION**

**STEPHEN A WHITTIER, MD**

Darold Treffert was absent for all deliberations in this matter and abstained from voting.

MOTION: Ronald Grossman moved, seconded by Bhupinder Saini, to adopt the Findings of Fact of the proposed decision in the matter concerning Stephen A. Whittier, MD. Case advisor Darold Treffert abstained. Motion carried.

MOTION: Virginia Heinemann moved, seconded by Ronald Grossman, to not accept the Conclusions of Law and change the Conclusions of Law to reflect that the convictions and the falsified application are substantially related to the circumstances of the practice of medicine and surgery. Case advisor Darold Treffert abstained. Motion carried.

MOTION: Bhupinder Saini moved, seconded by Ronald Grossman, not accept the Order and to deny the oral examination and the application of Stephen A. Whittier, MD. Case advisor Darold Treffert abstained. Motion carried.

**NEIL CONNOR, MD**

MOTION: Sidney Johnson moved, seconded by Ronald Grossman, to adopt the Findings of Fact, Conclusions of Law and Order and to approve the mentor in the matter concerning Neil Connor, MD. Case advisor Alfred Franger abstained. Motion carried.

**APPLICATION REVIEW**

**VIJAY R BOINAPALLY, MD**

MOTION: Virginia Heinemann moved, seconded by Lief Erickson, to deny the application of Vijay R. Boinapally, MD, based on information received from Iowa. Motion carried unanimously.

**RATIFYING LICENSES**

MOTION: Ronald Grossman moved, seconded by Sandra Mahkorn, to ratify the applicants as licensed to practice medicine and surgery in the State of Wisconsin. Motion carried unanimously.

MOTION: Ronald Grossman moved, seconded by Sandra Mahkorn, to ratify the applicants as licensed to as physician assistants in the State of Wisconsin. Motion carried unanimously.

MOTION: Ronald Grossman moved, seconded by Sandra Mahkorn, to ratify the applicants as certified as respiratory care practitioners in the State of Wisconsin. Motion carried unanimously.

#### CASE STATUS REPORT

MOTION: Ronald Grossman moved, seconded by Alfred Franger, to close complaint **01 MED 059** for no violation. Case advisor was Bhupinder Saini. Motion carried unanimously.

MOTION: Bhupinder Saini moved, seconded by Alfred Franger, to close complaint **01 MED 221** for no violation. Case advisor was Sidney Johnson. Motion carried unanimously.

MOTION: Ronald Grossman moved, seconded by Sidney Johnson, to close complaint **01 MED 156** for prosecutorial discretion (P5). Case advisor was Virginia Heinemann. Motion carried unanimously.

MOTION: Bhupinder Saini moved, seconded by Alfred Franger, to close complaint **01 MED 183** for no violation. Case advisor was Lief Erickson. Motion carried unanimously.

#### INFORMATIONAL ITEMS

The Board noted the informational items.

#### ADJOURNMENT

MOTION: Sidney Johnson moved, seconded by Ronald Grossman, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 12:12 p.m.

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